

REMARKS

Claims 6-32 and 40-42 are pending in this application, claims 9-13 having been withdrawn from consideration. By this Amendment, claims 40-42 are amended.

Reconsideration is respectfully requested.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Applicants gratefully acknowledge the courtesies extended to Applicants' representatives at the personal interview conducted on July 13, 2004. The substance of the interview is incorporated into the following remarks which constitute Applicants' record of the interview.

The Office Action rejects claims 17-32 and 41 under 35 U.S.C. §112, second paragraph. Applicants submit that claim 17 clearly depends from claim 40, and claim 28 clearly depends from claim 42. With respect to claim 41, Applicants submit that there is no requirement in 35 U.S.C. §112, second paragraph, for a claim which recites "a first cylindrical lens and a first lens" to recite a second and so forth cylindrical lens and lens. Applicants submit that the subject matter of claims 17-32 and 41 are pointed out with sufficient clarity and distinctness to satisfy the requirements of 35 U.S.C. §112, second paragraph. As agreed to during the personal interview, Applicants respectfully request that the rejection of claims 17-32 and 41 under 35 U.S.C. §112, second paragraph, be withdrawn.

The Office Action rejects claims 6-8, 15-16 and 40-42 under 35 U.S.C. §102(b) over U.S. Patent No. 5,513,201 to Yamaguchi et al. (hereinafter "Yamaguchi"). This rejection is respectfully traversed.

Applicants respectfully submit that Yamaguchi does not disclose "an upstream optical means to collimate said partial beam in a vertical plane and a downstream optical means to collimate said partial beam in a horizontal plane," as recited in claim 40.

Yamaguchi discloses a first cylindrical lens 20 and a second cylindrical lens 40 which are separated by an optical path rotating device 30. The first cylindrical lens 20 serves to collimate the beam in the thickness direction of the active layer stripes (i.e., collimate in the direction of the thickness of the paper) but does not collimate the beams in the width direction (i.e., in the direction parallel to the paper). Optical path rotating device 30 then rotates the beam by 90° such that the beam divergence continues in the thickness direction of the paper until cylindrical lens 40 collimates the beam in the direction of the thickness of the paper. Therefore, cylindrical lens 20 and 40 both serve to collimate the beam in the same direction, i.e., in the vertical plane or in the direction of the thickness of the paper. However, their effect on the beam profile is altered by the presence of the optical path rotating device 30.

Therefore, the disclosure of Yamaguchi is clearly different from the claimed invention, in which "an upstream optical means collimates said partial beam in a vertical plane and a downstream optical means collimates said partial beam in a horizontal plane." Because of the presence of the optical path rotating device 30, there is no need for an optical means to collimate the partial beam in the horizontal plane.

Claim 41 recites a first lens for collimating said partial beam in a horizontal plane and focusing said partial beam in a vertical plane. This feature is also not disclosed in Yamaguchi, as none of the lenses in Yamaguchi both collimate and focus. Instead, in

Yamaguchi, the focusing element is element 50 which focuses the output from cylindrical lens 40 and focuses these rays in the horizontal plane.

Lastly, claim 42 recites "optical means for producing a pump beam by directing each partial beam to a same spot as a partial beam collimated in at least one plane." This claimed feature is illustrated by, for example, Figure 8d of the present application, which shows the optical means comprising elements 15 and 16c which direct each partial beam 7b to a same spot 14 as a collimated partial beam 7c. This element is also not found in Yamaguchi, as elements 40 and 50 of Yamaguchi direct each ray of each beam to the same spot D1 shown in Figure 3 of Yamaguchi. Accordingly, as agreed to during the personal interview, Yamaguchi does not disclose each and every feature of claims 40-42.

Claims 6 and 7 depend from claim 42, and claims 8 and 15-16 depend from claim 40. Therefore, claims 6 and 7 are patentable for at least the reasons set forth above with respect to claim 42, as well as for the additional features they recite. Claims 8, 15 and 16 are patentable at least for the reasons set forth above with respect to claim 40, as well as for the additional features they recite. Applicants therefore respectfully request that the rejection of claims 6-8, 15-16 and 40-42 under 35 U.S.C. §102(b) be withdrawn.

The Office Action rejects claims 14, 17, 19-20 and 22-23 under 35 U.S.C. §103(a) over Yamaguchi in view of U.S. Patent No. 5,317,447 to Baird et al. (hereinafter "Baird"). The Office Action rejects claims 24-27 over Yamaguchi in view of U.S. Patent No. 5,936,984 to Meissner et al. (hereinafter "Meissner"). The Office Action rejects claim 28 over Yamaguchi in view of U.S. Patent No. 6,122,097 to Weston et al. (hereinafter "Weston"). These rejections are respectfully traversed.

Applicants submit that none of Baird, Meissner or Weston remedies the deficiency of Yamaguchi with respect to claims 40 and 42. Claims 14, 17, 19-20, 22-27 depend from claim 40, and claim 28 depends from claim 42. Therefore, Applicants respectfully submit that

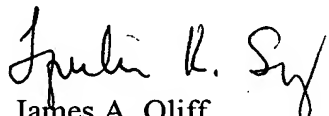
claims 14, 17, 19-20, 22-27 are patentable for the reasons set forth above with respect to claim 40, as well as for the additional features they recite. Applicants further submit that claim 28 is patentable for the reasons set forth above with respect to claim 42, as well as for the additional features it recites. Accordingly, Applicants respectfully request that the rejection of claims 14, 17, 19-20, 22-28 under 35 U.S.C. §103(a) be withdrawn.

Withdrawn claims 9-13 depend indirectly from claim 40. Based on the allowability of claim 40, Applicants request rejoinder of claims 9-13.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 6-32 and 40-42 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Jaquelin K. Spong
Registration No. 52,241

JAO:JKS/scg

Attachment:
Petition for Extension of Time

Date: July 29, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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